

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Case No.: 3:19-cv-00217-MMD-WGC

IVAN LEE MATTHEWS, II,

Plaintiff

v.

WILLIAM GITTERE, et. al.,

Defendants

Order

When Plaintiff filed his amended complaint, he was incarcerated within the Nevada Department of Corrections (NDOC). (ECF No. 10.) The court screened the amended complaint and allowed Plaintiff to proceed with an Eighth Amendment conditions of confinement claim against Reubart based on lack of sanitation in the showers. He was also allowed to proceed with an Eighth Amendment conditions of confinement claim against Reubart, Gittere, Stubbs, Cruz, Butcher and Rowley, based on allegations that they made Plaintiff walk through someone else's blood, tracked blood in and out of Plaintiff's cell, did not permit him to shower for several days, and did not give him cleaning supplies to remove the blood but made him clean it up with his clothing. (ECF No. 11.) Defendant Rowley was subsequently dismissed pursuant to Federal Rule of Civil Procedure 4(m). (ECF No. 18.)

On May 7, 2021, Plaintiff filed a notice of change of address, indicating a new address on West 48th Street in Los Angeles. (ECF No. 17.)

Defendants filed their motion for summary judgment on June 28, 2021. (ECF Nos. 21, 21-1 to 21-4.) The motion was served on Plaintiff at the address on West 48th Street in Los Angeles. (ECF No. 21 at 11.) Plaintiff was advised he had 21 days to file a response. (ECF No.

1 22.) A response was not timely filed, and the undersigned gave Plaintiff an additional 30 days to
2 file his response. (ECF No. 23.)

3 On August 4, 2021, Defendants filed an errata to their motion for summary judgment.
4 (ECF Nos. 24, 24-1 to 24-2.)

5 On August 26, 2021, Plaintiff filed a notice of change of address, indicating a new
6 address at the North County Correctional Facility in Los Angeles. (ECF No. 26.)

7 The Clerk shall **SEND** Plaintiff a copy of Defendants' Motion for Summary Judgment
8 (ECF Nos. 21, 21-1 to 21-4) as well as the errata (ECF Nos. 24, 24-1, 24-2), and Judge Du's
9 *Klinge* Order (ECF No. 22) to Plaintiff's new address. Plaintiff has up to and including
10 **October 21, 2021**, to file his response to Defendants' Motion for Summary Judgment. Absent
11 extenuating circumstances, there will be no extensions of this deadline. Defendants reply brief is
12 due on or before **November 4, 2021**.

13 **IT IS SO ORDERED.**

14 Dated: September 29, 2021

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16 William G. Cobb
17 United States Magistrate Judge
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